

Report to Planning Committee

25 October 2023

Application Reference	DC/23/68518
Application Received	26 July 2023
Application Description	Retention of light industrial and storage use, vehicular access, car and vehicle parking, lighting and CCTV.
Application Address	Locarno Works, Locarno Road, Tipton, DY4 9AF
Applicant	Andrew Doocey Group
Ward	Tipton Green
Contact Officer	William Stevens William_stevens@sandwell.gov.uk

1 Recommendations

1.1 That subject to ratification at full council that planning permission is granted subject to conditions relating to:

- i) Noise impact assessment and mitigation measures;
- ii) Parking layout provided, and retained, - area behind residential properties for car park only;
- iii) Dust management plan including resurfacing works;
- iv) Lighting scheme;
- v) CCTV;
- vi) Electric vehicle charging points;
- vii) Boundary Treatment and any retaining walls;



- viii) Revised Transport Statement;
- ix) Site management plan – vehicle movement during sensitive hours;
- x) Drainage/SUDs details; and
- xi) Details of secure cycle parking.

2 Reasons for Recommendations

- 2.1 The use would ensure the retention of employment in the local area and would not prevent future regeneration of the site.

3 How does this deliver objectives of the Corporate Plan?

	<p>A strong and inclusive economy – the proposal would retain jobs within the local area.</p>
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4 Context

- 4.1 This application is being reported to your Planning Committee because it is a departure from the development plan, as the site is allocated for housing, and also several objections to the proposal have been received.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[Locarno Road, Tipton, Street View](#)

[Locarno Road, Tipton, Aerial View](#)

5 Key Considerations

- 5.1 The proposed site forms part of a housing allocation, therefore the development is a departure from the development plan.
- 5.2 Material planning considerations are matters that can and should be taken into account when making planning decisions. By law, planning



decisions should be made in accordance with the development plan unless material considerations indicate otherwise. This means that when enough weight in favour of a development can be attached to material planning considerations, then it should be approved even if it conflicts with a local planning policy.

5.3 The material planning considerations which are relevant to this application are:-

Government policy (NPPF),
Proposals in the Development Plan,
Planning history,
Highways considerations - Traffic generation, access, highway safety,
Environmental concerns – Noise, air quality, pollution and general disturbance, and
Ecology concerns – loss of trees.

6. The Application Site

- 6.1 The application site is on land between Locarno Road (which is the primary access to the site) and Alexandra Road (B4517), Tipton.
- 6.2 The application site would be divided as shown on plan number 288.P01.003C for different areas dependant on the type of vehicles stored. Access to this site would be solely from Locarno Road.

7. Planning History

- 7.1 Some committee members may recall granting planning permission for a new three storey office building and utility yard with associated parking and access on this site in 2021 under reference DC/21/65623. The office block was never constructed but the applicant has been using the yard for storage in association with that permission.



7.2 Relevant planning applications are as follows:

DC/21/65623	Proposed 3 storey office building and utility yard with associated parking, new vehicle and pedestrian access.	Granted planning permission with conditions 9 th December 2021
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8. Application Details

- 8.1 As the office block is not to be built, the applicant proposes to continue using the site for the light industrial and storage use, vehicular access, car and vehicle parking, and erect lighting and CCTV.
- 8.2 Whilst permission has been granted for a similar use DC/21/65623 (see point 7.1 and 7.2), due to commercial reasons, the office building is unlikely to come forward, however, the use of the yard is still required by the company.
- 8.3 The site will be in use through all times of the day and night.

9. Publicity

- 9.1 The application has been publicised by neighbour notification letters and by site and press notices. In total, five objections have been received.

9.2 Objections

Objections have been received on the following grounds:

- i) The use generates noise which can be heard by residents in the early hours of the morning especially those whose properties back onto the site;
- ii) The site generates significant traffic throughout the day which brings dust out on to the main roads;



- iii) The existing (temporary) lighting is causing light pollution and disturbances to local residents;
- iv) The rubble left on the site could block drains and lead to localised flash floods; and
- v) The applicant has removed a number of trees on the border of the site.

Non-material objections have been raised regarding loss of property value.

These objections will be addressed in section 13 (Material considerations).

10. Consultee responses

10.1 Planning Policy

Planning Policy have not objected to the scheme. The use is a departure from the development plan which has been allocated for housing, however they note the previous approval which was granted at planning committee and the departure ratified by Council.

10.2 Highways

No objection. The removal of the office would reduce traffic flow to the site. The highways department request that the site is laid out as per the submitted drawing. Highways however, have requested that the Transport Statement is updated accordingly. Both these matters can be conditioned as such.

10.3 Pollution Control (Air Pollution and Noise)

No objections to the proposed lighting scheme as Pollution Control have been in discussions with the applicant on this matter prior to the submission of this planning application. However, given the proximity of



the development to housing, they do recommend a noise impact assessment is carried out and mitigation measures provided.

10.4 Cadent

Comments have been passed onto the applicant regarding a high-pressure gas pipeline. The applicant has stated that this development will not affect this and are aware of it.

11. National Planning Policy

11.1 National Planning Policy Framework (NPPF) promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

11.2 The Framework promotes sustainable transport options for development proposal and paragraph 111 states that developments should be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Here, the Council's Highways department has raised no objections, and therefore the proposed development complies with this part of the NPPF.

12. Local Planning Policy

12.1 The following policies of the council's Development Plan are relevant:

CPS4: Place Making

DEL1: Infrastructure Provision

TRAN4: Creating Coherent Networks for Cycling and Walking

ENV3: Design Quality

ENV5: Flood Risk, Sustainable Drainage System and Urban Heat Island Effect

ENV8: Air Quality

SAD EMP4: Relationship between Industry and Sensitive Uses

SAD EOS9: Urban Design Principles



12.2 The site is allocated for residential used in the development plan.

12.3 All new developments should be supported by the necessary on-site infrastructure to serve the development, mitigate its impacts on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area (DEL1, ENV5 and 8). Conditions are recommended as such to mitigate against environmental impacts.

12.4 Secure cycle parking provision TRAN4 this will be conditioned accordingly.

12.5 SAD EMP4 states that proposals for industrial development that are likely to have an adverse effect on neighbouring uses will not be permitted, unless the adverse effects can be reduced to an acceptable level. Where existing industry operates within residential areas the Council will seek to ensure that any harmful effects are mitigated (see point 10.3 above) and the noise impact assessment recommended to protect residents.

12.6 As the development is for storage, little in terms of development is proposed, therefore the proposal would not have a negative impact on the street scene and complies with policies CPS4, ENV3 and SAD EOS9.

13. Material Considerations

13.1 National and local planning policy considerations have been referred to above in Sections 11 and 12. With regards to the other material considerations, these are highlighted below:

13.2 Planning history

The site has previously been granted for a similar use (albeit with an office block attached). The granting of the departure has also been



previously approved. In my opinion, no significant policy change has happened within the past two years to warrant an alternative stance. Whilst the office block did provide a buffer of open air storage to the backs of residential properties, to keep this “buffer” I would recommend that the space immediately behind the residential properties is not used other than for the parking of private cars and not for commercial use.

13.3 Highways concerns

Whilst residents have raised concerns over the level of traffic entering and leaving the site, Highways are of the opinion that the impact on the surrounding street network would not be significant to warrant refusal. They state that the numbers of vehicle movements would be less than previously approved (see points 10.2 and 11.2 above) and therefore comply with the adopted NPPF.

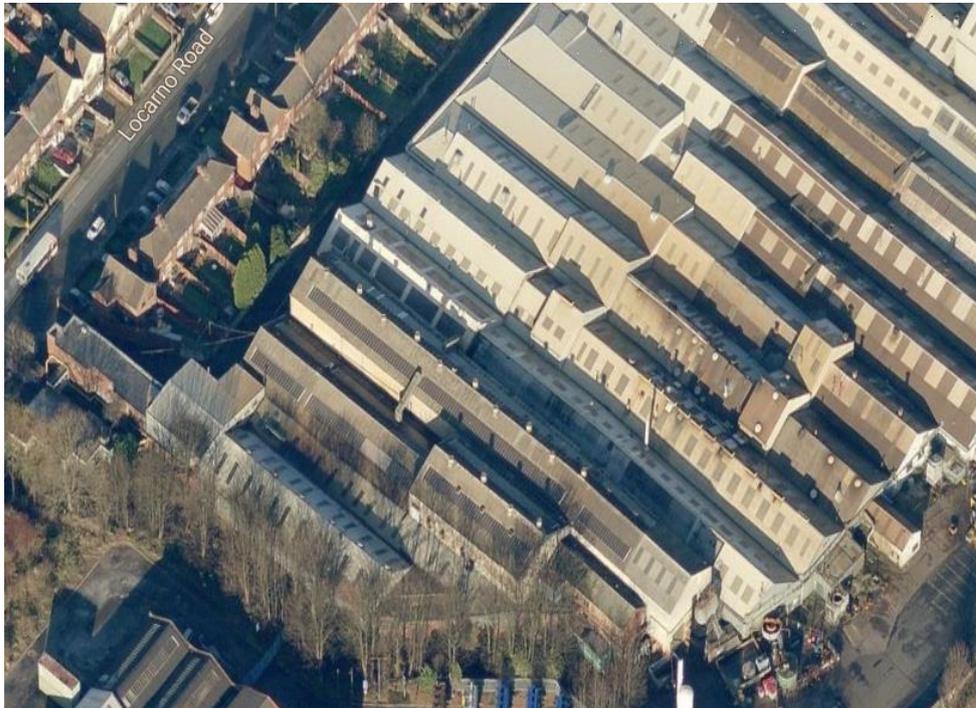
13.4 Environmental concerns

Pollution Control has raised concerns over noise and disturbance to residents (see point 10.3 and 12.5 above) and has recommended conditions be attached to any approval to mitigate the potential for noise issues. I also recommend a site management plan is conditioned which would seek to reduce noise and disturbance to residents during unsociable hours.

13.5 Ecology concerns

Any trees on site that were felled previously were not protected by Tree Preservation Orders and therefore did not require planning permission for their removal. However, from an aerial photo (below), before the buildings on site were demolished, it seemed that there was no tree buffer separating the industrial land from the rear gardens of properties on Locarno Road.





14. Conclusion and planning balance

- 14.1 All decisions on planning applications should be based on an objective balancing exercise. This is known as applying the “planning balance”. It is established by law that planning applications should be refused if they conflict with the development plan unless material considerations indicate otherwise. This essentially means that the positive impacts of a development should be balanced against its negative impacts.
- 14.2 On balance, despite the application being a departure from the development plan, other material considerations outweigh the allocation and there are no significant material considerations which warrant refusal that could not be controlled by conditions.

15 Alternative Options

- 15.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant policies and there are no material considerations that would justify refusal.



16 Implications

Resources:	When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the Council.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None.
Social Value	None.
Climate Change	Sandwell Council supports the transition to a low carbon future, in a way that takes full account of the need to adapt to and mitigate climate change. Proposals that help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure, will be welcomed.

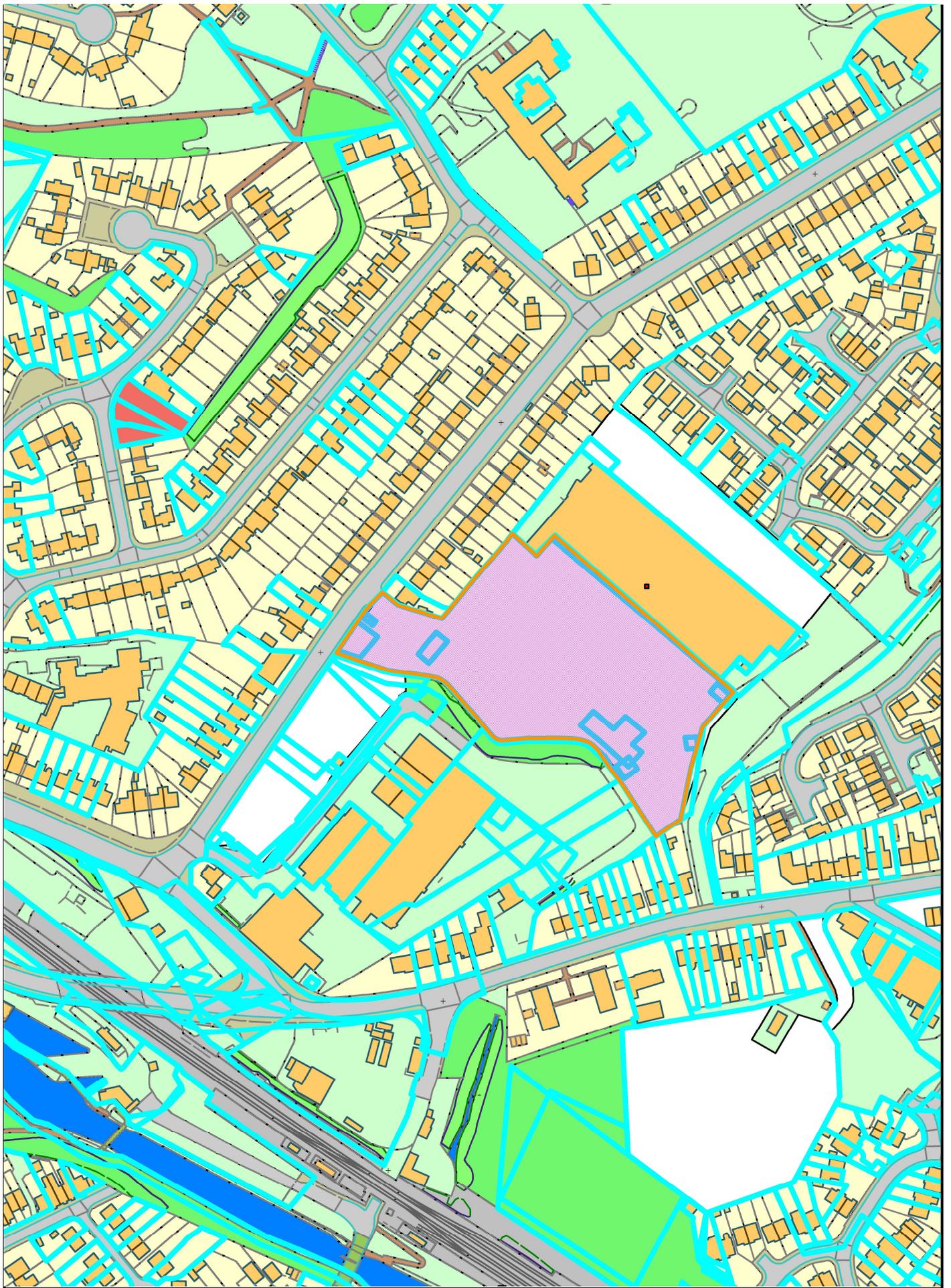
17. Appendices

Location plan

Layout plan: 288.P01.003

Lighting plan: HSL-896







PRIVATE LIGHTING

- Lighting Unit A:**
TRT Lighting Aspect 64 LED neutral white 4000k lantern. Power Set.
Lantern Code: AS64-LED-110w-GA2-4000k-FG(16.26km). Light grey canopy, toughened flat glass.
Lanterns to be post top mounted at 0 degree tilt onto 8m height Stainton, Fabrikat or CU Phosco galvanised tubular steel lighting column. Mid hinge-raise lower for ease of maintenance access.
- Lighting Unit B:**
TRT Lighting Aspect 64 LED neutral white 4000k lantern. Power Set. Back Shield.
Lantern Code: AS64-LED-115w-GA2-BS-4000k-FG(15.01km). Light grey canopy, toughened flat glass.
Lanterns to be post top mounted at 0 degree tilt onto 8m height Stainton, Fabrikat or CU Phosco galvanised tubular steel lighting column. Mid hinge-raise lower for ease of maintenance access.
- Lighting Unit C:**
TRT Lighting Aspect 64 LED neutral white 4000k lantern. Power Set.
Lantern Code: AS64-LED-110w-GA3-SYM-4000k-FG(16.53km). Light grey canopy, toughened flat glass.
Lanterns to be post top mounted at 0 degree tilt onto 8m height Stainton, Fabrikat or CU Phosco galvanised tubular steel lighting column. Mid hinge-raise lower for ease of maintenance access.

PRIVATE SUPPLIES:

Private lighting columns to be fed from private supply networks. Either landlord distribution board or mini feeder pillar with fused isolation. Mini feeder pillars to be located in vicinity of new private area entrance. The feeder pillar should be located in private land or on boundary (in vicinity to mains LV supply) in a safe location (minimising risk of damage or collision with vehicles), easily seen and with ease of access for safe maintenance and for network supply on / off control.

ISOLATION:

Charles Endirect or equivalent fused isolator to be mounted on each column backboard.

ON / OFF CONTROL

Switching of lanterns to be achieved independently via Lucy Zodion or equivalent photocells mounted onto each lantern (ie20/20 lux). An astro timer to be mounted within the feeder pillar to switch off supply at determined times of night (low activity times to be determined and set). An override to switch power on will be included to provide illumination during times of night when access to site is required. The feeder pillar and override will be located with ease of access from manned gatehouse.

Erection and installation works shall comply with the current issue and amendments of BS7671: 18th edition IET Wiring Regulations 2018. Requirements for Electrical installations, the current edition of the LP Code of Practice for Electrical Safety in Public Lighting Operations and the Code of Practice for the erection of Street Lighting published by the Association of Street Lighting Electrical Contractors. Manufacturers instruction / guidance should also be referred to.

GENERAL SCHEME NOTES:

- 1) Any change to layout or alterations to the positions or specification of equipment to that as shown on this drawing should be referred back to the designer for checking to ensure compliance with lighting level requirements.
- 2) Columns to be located to periphery of site as shown - would advise a minimum of 1m clear of fence for security. Two columns are proposed in centre of site. These should be planted within a raised plinth and have impact protectors installed at base.
- 3) This design is based on limited site information regarding underground services. Setting out should be conducted by a competent person, with trial pits dug by hand to ensure safe column location and to avoid damage to any underground services.
- 4) Private lighting equipment to be installed in accordance with lighting design drawing, manufacturers instructions and current Regulations for Electrical Installation requirements.
- 5) All column doors to face away from on coming traffic unless access restricted or otherwise specified. Ensure correct orientation of lanterns facing inward to site as detailed.
- 6) Column numbering used is for reference only; Client to assign identification numbering in line with maintenance requirements.
- 7) In order to avoid future maintenance issues and maintain lighting efficiency, any trees in vicinity of proposed columns should be trimmed back. Prior to any tree cutting, the owner or Council tree officer or Ecologist should be consulted.
- 8) This lighting scheme has been calculated applying a maintenance factor of 0.81. It is recommended that a full routine maintenance program is devised and carried out at least every 5 years. Guidance for an efficient maintenance program can be obtained from equipment manufacturer and Roads Liaison Group; Well Lit Highways, Code of Practice for Highway Lighting Management.

DESIGN METHODOLOGY AND NOTES:

- A. The private area yard is located within a semi industrial area, established industrial units to the North and South with residential housing to West and East boundary. Would consider the surrounding area environmental classification to be E3 Suburban, medium district brightness. Access to yard is via a short entrance off a residential road.
- B. The yard is to be used mainly for lorry & works vehicle parking. Some off loading and loading of construction site soil and rubble to be conducted in designated areas. Additionally, there will be areas set aside for storage of low hazard risk construction equipment such as bollards and signs and general building materials.
- C. Lighting is required for general purpose, parking and manual labour, no detailed works tasks are involved. Lighting must be suitable for security purposes and CCTV (LED white light at 4000k for good colour rendition and clear imaging).
- D. The design aims to provide adequate lighting without over illumination using minimum amount of units. With reference to BS5489-1 2020 (parking area for plants, medium traffic, slow moving vehicles) and CIBSE, Lighting Guide 1, The Industrial Environment (Low risk process, general security lighting) this design proposes a target of 10Lux average illumination for the area / yard with good uniformity of 40%. Refer to contours for lux levels which are provided on this drawing for reference only. A lighting calculation report is available for further detail.
- E. There is to be no public access. Security office and a high perimeter fence surrounds the yard.
- F. Consideration for local residents and properties adjoining the site boundary has been given in the lighting class determination and equipment specification. Light spill extending past the site boundary has been minimised through use of optically efficient area lighting lanterns, facing away from buildings. In addition, factory fitted back shields are specified for four units. Two shields to ensure light spill into adjoining gardens does not exceed 2 lux and two to reduce spill into the tree lined brook. The lanterns are to be mounted on 8m height columns which will limit visual impact and assist in focusing light where needed, thus controlling light trespass and nuisance. The lanterns are to be mounted with a 0 degree tilt, which maintains their zero horizontal light cut off, minimising upward light pollution and reducing vision glare.
- G. The lanterns are energy efficient LED type which will provide a white light at 4000k providing adequate illumination and good colour rendition as required for CCTV.
- H. The private lighting column at the site entrance is set back, away from the immediate junction to minimise light spill onto the public highway (as shown by lux contours). Thus minimising road user distraction, glare and trespass into existing houses opposite.
- I. Lux contours as shown DO NOT include maintenance factor. The contours represent light output from initial new installation without projected depreciation of output over time.

DESIGN ISSUED FOR APPROVAL

11/03/23 Draft 3 Revised to SMBC comment. Issued for approval.
06/01/23 Draft 2 Revised to SMBC comment. Issued for approval.
30/11/22 Draft 1 Issued to Client for comment.

HIGHWAY LIGHTING SOLUTIONS Ltd



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Project:

M&A Doocey Civil Engineering
Private Lighting Scheme

Location:

Vehicle Parking & Storage Facility
Locarno Road, Tipton.

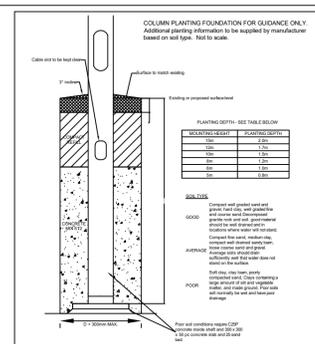
Drawn by: Ken Duckers	Date: 21/11/22
Checked by: Ian Buckley	Date:
Telephone: 0151 327 2424	Fax: 0151 327 2424
Scale @ A1: 1:500	Sheet: 1 of 1
Drawing No.: HLS-896	Revision: Draft 3

EXISTING SERVICES

THERE ARE NUMEROUS MANHOLES AND INSPECTION CHAMBERS WITHIN THE WORKS AREA SUGGESTING VARIOUS SERVICES ARE PRESENT. THE CONTRACTOR SHALL NOTE THE NATURE OF THESE SERVICES AND WHICH ARE LIVE AND TO REMAIN IN PLACE. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS TO PROTECT THE WORK FORCE AND ENSURE THE SERVICES ARE ADEQUATELY MAINTAINED & PRESERVED. REFER TO STATS DRAWINGS PRIOR TO COMMENCING EXCAVATION WORKS.

EXISTING SERVICES

SERVICES INFORMATION AS SHOWN ON THIS DRAWING CANNOT BE GUARANTEED AS CONCLUSIVE. OTHER SERVICES MAY BE PRESENT. NEW UNDERGROUND CABLES MAY BE LAID DURING PHASED WORKS. CONTRACTOR MUST OBTAIN MOST CURRENT AND UP TO DATE SERVICES DRAWINGS PRIOR TO AND DURING WORKS. CONFIRM EXACT LOCATION OF CABLES BEFORE EXCAVATION. DIG TRIAL PITS WITH CARE TO LOCATE. DO NOT USE MECHANICAL DIGGERS

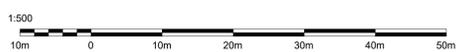


An example of a column protector which may be located at base of columns where vehicle impact may occur. Manufacturer Seton or Barriers Direct to advise suitable specification and foundation.

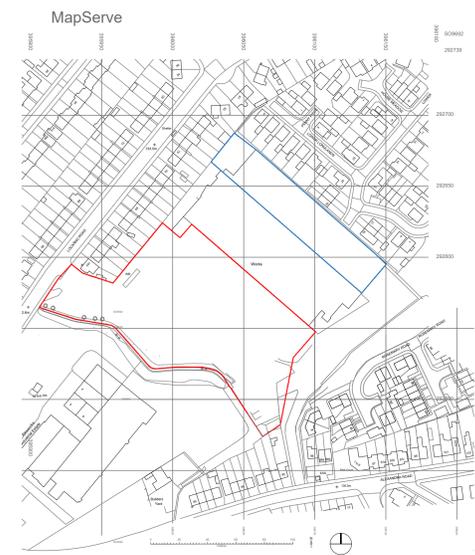


TRT LED ASPECT LANTERN.





Proposed Site Plan 1:500



Location Plan 1:2500 (Ownership Boundary shown)

Copyright of this drawing is vested in Khoury Architects and must not be copied or reproduced without consent. Only figured dimensions are to be taken from this drawing. All dimensions are in millimetres unless noted otherwise. All contractors must visit the site and be responsible for taking and checking all dimensions relative to their work.

Khoury Architects are to be notified immediately of any variation between drawings and site conditions.

Notes:
All site dimensions and setting out to be checked and determined by contractor.

Khoury Architects take no responsibility of legal boundaries indicated on this drawing and advise a separate drawing be completed by a specialist surveyor in order to establish exact boundaries.

-  Ownership Boundary line
-  North
-  Adjacent Ownership line

Rev	Date	Description	By
C	27.09.2023	Layout detail added	AK
B	26.07.2023	Location Plan Extended	YJ
A	02.05.2023	Yard Amendments	YJ
/	26.04.2023	First Issue	VG

PLANNING



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Client
Doocey Group
Address
**Locarno Road
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DY4 9AF**
Title
**Location Plan
Proposed Site Plan**
Drawn: VG Date: April 2021 Scale: As shown @ A1
Checked: AK CAD Ref: 288.P.01.010
Drawing Number:

288.P01.003C